

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

GARY CASTERLOW-BEY,

CASE NO. C17-5948 BHS

Plaintiff,

ORDER ADOPTING REPORT AND RECOMMENDATION

DAVID A. ZEECK, et al.,

Defendants.

This matter comes before the Court on the Report and Recommendation ("R&R")

of the Honorable Theresa L. Fricke, United States Magistrate Judge. Dkt. 8. The Court having considered the R&R and the remaining record, and no objections having been filed, does hereby find and order as follows:

- (1) The R&R is **ADOPTED**;

(2) Plaintiff's action is hereby **DISMISSED without prejudice** for failure to state a claim upon which relief may be granted under 42 U.S.C. § 1983 and Plaintiff's motion to proceed *in forma pauperis* is **DENIED**.

Dated this 10th day of April, 2018.



BENJAMIN H. SETTLE
United States District Judge